inquisition by attorney. *In re Cummings*, 1 De G., M. and G. 537. But even in such cases it is necessary that the defendant be privately examined before the chancellor before traversing, subject to being refused permission if his insanity is patent. *In re Lindsley*, 49 N. J. Eq. 358.

CARRIERS—LIABILITY FOR INJURIES BY CROWD AT STATION—NEGLIGENCE.—WAGNER V. BROOKLYN HEIGHTS R. Co., 88 N. Y. Supp. 792.—Plaintiff purchased a ticket and crossed a platform to reach defendant's depot. Owing to a blockade on the road, a crowd of passengers was obstructing the passageway, and the plaintiff, pushed about by the mob, stumbled and was injured. The platform was not under defendant's exclusive control, although it was constantly used by its passengers. *Held*, that, as the premises were public, the defendant was not liable. Hooker, J., *dissenting*.

A railroad is not required to exercise highest degree of care with reference to stations, platforms, and approaches, but must maintain them in a reasonably safe condition. *Keefe v. Boston R. Co.*, 142 Mass. 251. In some cases, however, the rule is so expressed as to require more than ordinary care in these respects. *Kelly v. R. Co.*, 8 N. Y. 123; *Johns v. R. Co.*, 39 S. C., 162. The rule applies to avoiding or controlling crowds of persons at its stations, imperiling the safety of passengers. *R. Co. v. Treat*, 75 Ill. App. 327; *Dawson v. Trustees*, 52 N. Y. Supp. 133; and in *Graham v. R. Co.*, 149 N. Y. 336 it was held that carriers are bound to so regulate the movements and disposition of passengers from the stations to the vehicles of conveyance as to preserve the safety of all. Opening but one of five exit gates when a crowd is making its way to a train is a lack of ordinary care. *Taylor v. Pennsylvania Co.*, 50 Fed. 755. The dissenting opinion in the present case contends that the duty of a common carrier to protect passengers is as great in a place not owned or controlled by it, as it is in its own station, if it has adopted it as such.

CARRIERS—LIMITATION OF LIABILITY—NEGLIGENCE—BURDEN OF PROOF—CALL V. TEXAS & P. RY. Co., 24 Sup. Ct. 663.—Where bills of lading stipulate against carrier's liability for destruction by fire and the goods are so destroyed, *held*, that the burden of proof lies on the shipper to show that the carrier was negligent.

Many courts show a leaning toward the old strictness regarding carriers. Thus it is said the carrier must not only show that the loss was caused by one of the excepted agencies, but must also rebut the presumption of negligence under the rule that the burden of proof is on him who best knows the facts. *Ryan v. Ry. Co.*, 65 Tex. 13. So, 2 *Greenleaf Ev.* (14th Ed.) §79. But the present case is in line with the main current of modern decisions. Where a special contract exempts the carrier from liability for losses by fire, negligence on the part of the carrier cannot be inferred from the mere fact that the fire occurred while the goods were in the carrier's possession in transit; it must be affirmatively proven by the party asserting it. *Indianapolis Ry. Co. v. Forsythe*, 4 Ind. App. 326. It is argued against the rule of evidence applied in *Ryan v. Ry. Co.*, *supra*, that to load down the carrier's contract with this measure of proof is simply to hold that he may not limit his responsibility. *Patterson v. Clyde*, 67 Pa. St. 506.

CONFLICT OF LAWS—STATUTORY TORT COMMITTED IN FOREIGN COUNTRY—JURISDICTION OF FEDERAL COURT—MEXICAN CENTRAL R. Co. V. SLATER, 24 Sup. Ct. 581.—Mexican statutes impose a liability for death by wrongful act, but provide that damages shall be awarded in the form of support. *Held*, that